extent in developing the functions of the Council, then it was necessary to considerably increase the strength. Because, in discussing the many matters of public importance, varied interests would come up for consideration.

In regard to the method of recruitment, it was necessary to allow to the people the privilege of election of all the non-official members of the Council as a *right*. At present it was being given from year to year as a sort of favor from the Government. If additional members were to be appointed to the Council, that should be by the method of election.

The Member stated that, in all that he mentioned above, there was a unanimity of opinion among the Members of the Assembly and those representatives of public opinion with whom he had occasion to talk about the subject.

The next point, he said, was perhaps a matter of minor detail upon which there was some difference of opinion. It was about the method of election. Some people would have it that the Members should represent interests, while there were others who thought that classes should also be represented. Speaking for himself, the Member would adhere to the opinion expressed by him last year that class representation should not be allowed; because it was not only wrong in principle and was inexpedient in the present state of the country, but it would also tend to create class feeling.

Dewan.— Do you propose that the election should continue to be done by the Members of this Assembly or would you create an electorate apart from the Assembly ?

Member.—I should think that the Assembly is a sufficiently good electorate. It could divide itself into different electorates for the purpose, such as the Town Improvement Committees, Trading Classes, &c.

Dewan.— Do you not think that there should be some settlement on that point before we proceed further ?

Member.—That, in the first place, affects only the way in which nomination or election should be made. I think, for the present, so far as I am concerned, that a certain number of seats may be reserved for nomination for the purpose of satisfying those who want class representation. The remaining seats may be filled up by regular election.

The Member then presented a memorial signed by 66 Members of the Assembly for the current Session, pressing the need for increasing the strength and widening the scope and usefulness of the Legislative Council.

The desirability of having a Jenmi Member in the Legislative Council.

Mr. Kesavar Vasudevar (Member Jenmi, Padmanabhapuram Division) said that the Jenmies occupied the first place among those who were affected by the legislative measures passed from time to time. Owing to the absence in the Legislative Council of a Jenmi Member, the Jenmies were labouring under serious disabilities. A memorial on the subject was submitted to the Government at the last session, but there had been no redress of their grievances yet. Even the European Planters, who owned very few landed properties in the State, were allowed a Member in the Council. The necessity for allowing a representative from the real landed proprietors of the country would thus be apparent. The Member therefore prayed that hereafter at least the Travancore Jenmi Maha Sabha might be permitted to nominate a representative from the community as a Member of the Legislative Council.

The desirability of having a Mahomedan Member in the Legislative Council.

Mr. Shaik Mahomed Hamidani Thangal (Member, Nominated) said that his request was for appointing a Mahomedan Member to the Legislative Council. The progress of the community depended greatly on their religious faith, and though there

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was nothing in the legislative measures hitherto passed to prejudicially affect their religion, still the community felt that, to adequately safe-guard their interests, one from amongst them should occupy a seat in the Council. He prayed that the request of the community might be favourably considered.

Dewan's reply.—Noted.

22. The necessity for a change in the law regarding Kandukrishi lands.

Mr. K. C. Madhavan Pillai (Member, Ambalapuzha taluk) said that the law and rules now in force in respect of *Kandukrishi* lands were the following, *viz.*,

(1) The *Kandukrishi* lands were the crown lands or the home-farm of the Sovereign.

(2) The tenants were essentially tenants-at-will and the lands were at any time resumable at the pleasure of the Government.

(3) The tenants should never alienate the lands for consideration.

(4) No Civil Court should take cognizance of any suit relating to a *Kandukrishi* land, or to any benefit arising out of such land, unless the plaint was accompanied by an order of the Government permitting the plaintiff to seek redress in the Civil Court.

(5) The tax or *pattom* on the lands shoud be paid in kind. Of the above, 1 to 3 and 5 were in the nature of rules (page 74 of Mr. Krishna Row's Revenue Handbook), while point 4 was part of the statute (Section 7 A of the Code of Civil Procedure).

The Member said that it was not his intention to propose anything which would in any way minimise the right of the Sovereign over the lands or the income derived from them. Originally, the lands were cultivated by the Sovereign nimself by advancing the seed and hire for such cultivation to the tenants. But as it was found inconvenient and disadvantageous to the Government, the grain-rent alone was collected from the cultivators, the *pattom* being fixed at the maximum possible, including even such items as *kolulabhom* and *kudavila*. The Government were also recognising the alienations of the rights of the tenants, and pattas were accordingly granted to the actual occupants at the Settlement. Permission to institute civil suits for the recovery of the *pattom* from the defaulting holders was also freely granted to the applicants, of course without prejudice to Sirkar interests. Things went on smoothly till about ten years back. Subsequent to the Settlement, however, a change was noticeable in the attitude of the Government and the *Kandukrishi* authorities towards the *Kandukrishi* ryots. The law and rules began to be interpreted in all ways calculated to prejudice the ryots. Conflicting orders were issued by the Government in individual cases. Some alienations were recognised, while others were disregarded, on no understandable principle. As a result of the Member's representation in the Fifth Session, Huzur order No. L. R. 4320, dated 25th May 1911, came to be issued. But he had to point out with reluctance that, even subsequent to that G. O., the orders issued by the Government were not consistent. While ordinary mortgages were recognised in some cases and permission to file civil suits granted, *outright sales* were refused recognition and permission declined in other cases. He invited a kind reference to Huzur orders No. 6276, dated Karkadagom 1086, No. 2977, dated the 19th March 1913, No. 5107, dated the 13th May 1913 and Nos. 5377, 5378 and 5384, dated the 19th May 1913, as instances in point. He therefore requested (1) that all mortgages and sales of *Kandukrishi* lands made up to date should be recognised in accordance with G. O. No. 4320, dated the 25th May 1911, and (2) that a law should be passed declaring that alienations by lessees of such lands would not, under any circumstances, be recognised by the Government and that the *Kandukrishi* authorities should not also accept payment of rent from the lessees in any case.

The Member next argued that there was no justification for insisting, by Section 7A of the Civil Procedure Code, on the sanction of the Government being taken for instituting civil suits in respect of *Kandukrishi* lands. If the idea was to

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